

REMARKS

Claims 1-13, 16-18, and 20-27 are pending in the application. Claims 1-8, 10, 12, 13, and 16-27 have been amended hereby. Claims 28-30 have been cancelled, without prejudice or disclaimer. Claims 1, 22, and 26 are in independent form. Favorable reconsideration is requested.

Applicant and the undersigned acknowledge with appreciation the assistance of Examiners Fischer and Dega in evaluating the application in the personal interview occurring on November 23, 2010.

Claims 19 and 28-30 have been cancelled, thereby rendering the rejection thereof moot.

Reconsideration is respectfully requested of the rejection of Claim 3 under 35 U.S.C. §112, second paragraph, as being indefinite.

Claim 3 has been amended, as suggested in the Office Action in paragraph 7.

Accordingly, it is respectfully submitted that amended Claims 3 is clear and definite in its recitation of the present invention, and meets all requirements of 35 U.S.C. §112.

Reconsideration is respectfully requested of the rejection of Claims 1, 2, 6, 7, 12, 13, 16, 18, 21, 26, and 27 under 35 U.S.C. §103(a), as being obvious over U.S. Patent No. 6,845,453 (“Scheidt”) in view of U.S. Patent No. 6,591,224 (“Sullivan”); and of rejection of Claims 3-5, 17, 20, and 22-25 as being obvious over Scheidt in view of Sullivan and U.S. Patent Publication No. 2003/0037004 (“Buffum”); and of the rejection of Claims 8-11, as being obvious over Scheidt in view of Sullivan and U.S. Patent No. 7,039,812 (“Kawan”).

Further to the arguments presented in the Amendments filed January 21 and October 8, 2009; and April 12, 2010, the Office Action on page 5 concedes that Scheidt fails to teach or

suggest a second vendor's algorithm being used to generate a second template, and cites col. 4, lines 27-37 of Sullivan as curing this deficiency.

It is respectfully submitted that, contrary to the Office Action interpretation of Sullivan, Sullivan does not teach or suggest the use of the same biometric sample (e.g. a fingerprint image of a live subject from a single device) to create multiple reference templates using multiple template generation algorithms, as recited in amended independent Claims 1 and 26. Sullivan uses the term "sample" to mean finger rather than fingerprint image; and Sullivan involves placing the finger on multiple devices.

In other words, in the presently claimed invention, the user (a live subject) places its finger, for example, on one device; and after that multiple vendors' reference templates are created. That is, a single device enrollment process is performed.

In contrast, in Sullivan, the user places their finger on multiple devices to create multiple vendors' templates. It is respectfully submitted that none of the cited references relates to the use of multiple template generation algorithms to process the same fingerprint image, for example, captured from one device.

An advantage of the presently claimed invention is that a subject enrolling in a passport system, for example, comes in to a government office and places their finger on a single device. Then the backend system takes that one fingerprint image (i.e., sample) and processes it through multiple template generation algorithms from different vendors to create several different reference templates. The subject does not have to spend time to place their finger on multiple devices (as they would have to in Sullivan).

As an example, and as recited in amended Claim 16, the template generation algorithms perform feature extraction.

Moreover, the embodiment of Claim 22 recites a method where the reference template is not created until a requesting authority identifies which vendor's template generation algorithm to use to create the reference template. This is in contrast to Buffum where the third party request to authenticate is based on "a previously enrolled end user" (Abstract and Fig. 1).

That is, the requesting authority in Buffum is simply making a request to authenticate against a reference template previously enrolled image. This type of authentication request is common in biometric systems and requires that the authentication be done with the same biometric vendor whose algorithm created the reference template. In contrast, the requesting authority in the presently claimed invention, as recited in independent Claim 22, is making a request to enroll a sample to create a reference template; and unlike in Buffum, the requesting authority may identify any vendor to be used in creating the reference template.

Kawan fails to cure the deficiencies of Scheidt, Sullivan, and Buffum.

Accordingly, it is respectfully submitted that amended independent Claims 1, 22, and 26, and the claims depending therefrom, are patentably distinct over the cited references, alone or in any possible combination.

In view of the amendments and remarks set forth above, this application is believed to be in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Entry of this Amendment, and favorable reconsideration is earnestly solicited.

Respectfully submitted,

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PCF:fd